

**IN THE UNITED STATES COURT OF APPEALS
FOR VETERANS CLAIMS**

DOUGLAS M. BERKOWITZ,)	
Appellant,)	
)	
v.)	Vet. App. No. 15-3125
ROBERT A. McDONALD)	
Secretary of Veterans Affairs,)	
)	
Appellee.)	

**APPELLEE’S UNOPPOSED MOTION FOR A 45-DAY
EXTENSION OF TIME, UNTIL AUGUST 19, 2016, TO FILE THE
SECRETARY’S BRIEF**

Pursuant to Rules 26(b), 27, and 45(g) of this Court’s Rules of Practice and Procedure (Rules), Appellee, Robert A. McDonald, Secretary of Veterans Affairs, respectfully requests a 45-day extension of time within which to file the Secretary’s brief in the above-captioned case. The brief, otherwise due July 5, 2016, would then be due on or before Friday, August 19, 2016.

The request for additional time is requested because of competing work due in cases other than this one, including preparation of 10 briefs to be filed with the Court in July 2016, preparing for 3 Rule-33 briefing conferences, negotiating 3 joint motions for remand and responding to 3 applications for attorney’s fees and expenses pursuant to the Equal Access to Justice Act. As a result, the Secretary is unable to meet the July 5, 2016, filing deadline in this case. An extension of 45 days, until August 19, 2016, is requested.

The Secretary was previously granted 0 days of extension time in this case. Appellant has received 45 days of extension time in this case.

Appellant’s counsel has been contacted and is unopposed to this motion.

WHEREFORE, Appellee respectfully moves the Court for an extension of time of 45 days to file the Secretary’s brief, until August 19, 2016.

Respectfully submitted,

LEIGH A. BRADLEY

General Counsel

MARY ANN FLYNN

Chief Counsel

/s/ Thomas E. Sullivan

THOMAS E. SULLIVAN

Deputy Chief Counsel

/s/ Tamika Springs

TAMIKA SPRINGS

Appellate Attorney

U.S. Department of Veterans Affairs

Office of General Counsel (027F)

810 Vermont Avenue, N.W.

Washington, D.C. 20420

(202) 632-6995

Attorneys for the Secretary